

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor(if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

UPRIGHT VACUUM CLEANER WITH CYCLONIC AIR FLOW

the specification of which

_____ is attached hereto

 X

was filed on December 19, 1998

Application Serial No. 09/216,529

and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 or 365(b) of any foreign or U.S. Provisional application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign or Provisional application(s) for patent or inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States, § 120 of any United States application(s) or any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information which is material to patentability as defined in Title 37, of Federal Regulations Code, § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.

09/004,999

January 9, 1998

Pending

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

U.S. Serial No.

09/122,541

July 24, 1998

Pending

(Application Serial No.)

(Filing Date)

(Status) (patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Steven M. Auvil	Reg. No. 40,492	Mark E. Bandy	Reg. No. 35,788	Brian G. Bembenick	Reg. No. 41,463
John P. Cornely	Reg. No. 41,687	A. John Demarco	Reg. No. 40,586	Joseph D. Dreher	Reg. No. 37,123
Christopher B. Fagan	Reg. No. 22,987	Jude A. Fry	Reg. No. 38,340	Steven M. Haas	Reg. No. 37,841
W. Scott Harders	Reg. No. 42,629	Michael E. Hudzinski	Reg. No. 34,185	Richard M. Klein	Reg. No. 33,000
Thomas E. Kocovsky, Jr.	Reg. No. 28,383	Sandra M. Koenig	Reg. No. 33,722	Brian E. Kondas	Reg. No. 40,685
Scott A. McCollister	Reg. No. 33,961	James W. McKee	Reg. No. 26,482	Richard J. Minnich	Reg. No. 24,175
Jay F. Moldovanyi	Reg. No. 29,678	Philip J. Moy	Reg. No. 31,280	Timothy E. Nauman	Reg. No. 32,283
Sue Ellen Phillips	Reg. No. 32,046	Patrick R. Roche	Reg. No. 29,580	Albert P. Sharpe, III	Reg. No. 19,879
R. Scott Speroff	Reg. No. 37,450	Mark S. Svst	Reg. No. 34,261	John C. Tiernan	Reg. No. 21,078

BEST AVAILABLE COPY

SEND CORRESPONDENCE TO:

Patrick R. Roche, Esq.
Fay, Sharpe, Beall, Fagan, Minnich & McKee
1100 Superior Avenue, 7th Floor
Cleveland, OH 44114-2518

DIRECT TELEPHONE CALLS TO:
(name and telephone number)

Patrick R. Roche, Esq.
(216) 861-5582

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under § 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor: **KENNETH W. BAIR**

Inventor's Signature: *Kenneth W. Bair*

Date: 2-15-99

Residence: Akron, OH 44116

Country of Citizenship: U.S.A.

Post Office Address: 1415 Barcelona Drive
Akron, Ohio 44313

Full name of second joint inventor: **RICHARD C. GIBBS**

Inventor's Signature: *Richard C. Gibbs*

Date: 15 FEB 99

Residence: Burton, OH 44021

Country of Citizenship: U.S.A.

Post Office Address: 11680 Lancaster Drive
Burton, Ohio 44021

Full name of third joint inventor: **MARK E. REINDLE**

Inventor's Signature: *Mark E. Reindle*

Date: 2/15/99

Residence: Parma, OH 44129

Country of Citizenship: U.S.A.

Post Office Address: 5806 Forest Avenue
Parma, Ohio 44070

Full name of fourth joint inventor: **MICHAEL F. WRIGHT**

Inventor's Signature: *Michael F. Wright*

Date: 2/12/99

Residence: Stow, Ohio 44224

Country of Citizenship: U.S.A.

Post Office Address: 4311 Leewood Road
Stow, Ohio 44224

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, We, the undersigned,

Kenneth W. Bair, Richard C. Gibbs, Mark E. Reindle and Michael F. Wright

who have created a certain invention for which an application for United States Letters Patent has been executed concurrently herewith and is entitled

UPRIGHT VACUUM CLEANER WITH CYCLONIC AIR FLOW

Do hereby sell, assign and transfer to **ROYAL APPLIANCE MFG. CO.**, a corporation of the State of Ohio having a place of business 650 Alpha Drive, Cleveland, Ohio 44143, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possessions and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions agreements, acts, and treaties;

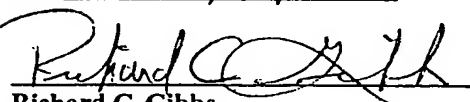
Agree that **ROYAL APPLIANCE MFG. CO.**, hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assigned, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, its successors, assigns, or legal representatives; and

Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

IN TESTIMONY WHEREOF WE have hereunto set OUR signatures on the dates indicated below.


Kenneth W. Bair

Date 2/15/99


Richard C. Gibbs

Date 15 FEB 99


Mark E. Reindle

Date 2/15/99


Michael F. Wright

Date 2/12/99